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November 14, 2016

VIA ECF AND ELECTRONIC MAIL

Honorable Stuart M. Bernstein
United States Bankruptcy Judge
United States Bankruptcy Court Southern District of New York
One Bowling Green
New York, New York 10004-1408

Re: *Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC v. Helene Saren-Lawrence*, Adv. Pro. No. 10-04898 (SMB)

Dear Judge Bernstein:

We represent Irving H. Picard, the trustee (the “Trustee”) for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”), and the estate of Bernard L. Madoff, under the Securities Investor Protection Act, 15 U.S.C. § 78aaa *et seq.*, the plaintiff in the above-referenced adversary proceeding. We write pursuant to the Order (1) Establishing Litigation Case Management Procedures for Avoidance Actions and (2) Amending the February 16, 2010 Protective Order (the “Avoidance Procedures Order”) and this Court’s General Order M-390 to request the Court’s assistance in the selection of a mediator.

By way of background, the Trustee filed a complaint against defendant Helene Saren-Lawrence on December 2, 2010. The Trustee seeks to avoid and recover transfers of customer property BLMIS made to Helene Saren-Lawrence during the two-years preceding the bankruptcy filing. The defendant filed an answer to the Trustee’s complaint on March 10, 2015, and an amended answer on June 25, 2015. Fact and expert discovery between the parties concluded on September 3, 2016. Pursuant to the Avoidance Procedures Order, this adversary proceeding was referred to mediation on November 4, 2016.

Unfortunately, counsel for the Trustee and counsel for the defendant have been unable to agree on the selection of a mediator. Thus, pursuant to section 5(c) of the Avoidance Procedures Order and section 2.2(A) of General Order M-390, we respectfully request that Your Honor appoint a mediator for the parties.

Please feel free to contact us with any questions in connection with the foregoing.

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Respectfully submitted,

/s/ Nicholas J. Cremona

Nicholas J. Cremona

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